

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

GEOFFREY CROWTHER,)	
Plaintiff)	
)	
v.)	C.A. NO. 09-cv-10334-MAP
)	
CONSOLIDATED RAIL CORPORATION)	
and CSX TRANSPORTATION, INC.)	
Defendants)	

MEMORANDUM AND ORDER REGARDING
PLAINTIFF'S REQUEST FOR RECONSIDERATION
(Dkt. No. 81)

November 30, 2010

PONSOR, U.S.D.J.

In its opposition to Defendant's Motion for Reconsideration (Dkt. No. 81), Plaintiff requested the court to reconsider its allowance of summary judgment with regard to his claim for aggravation of degenerative arthritis in his neck. A separate motion for reconsideration to this effect was not filed by Plaintiff, but in order to be sure the issue was adequately addressed, the court ordered Defendant to file its response. Thus, Plaintiff's request for reconsideration is not contained in an independent motion and therefore does not appear on the docket separately.

Plaintiff's request for reconsideration is hereby DENIED. The claim related to aggravation of degenerative

arthritis in Plaintiff's neck was never included in Plaintiff's original complaint filed in Pennsylvania. The court's rationale for allowing summary judgment on this claim is still valid, and there is no reason to re-think the issue.

It is So Ordered.

/s/ Michael A. Ponsor
MICHAEL A. PONSOR
U. S. District Judge